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CRIME PREVENTION AND CRIMINAL JUSTICE

Cuba and Italy: revised draft resolution

Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Deeply concerned about the steady rise in crime in many parts of the world, particularly in its dangerous new forms and transnational dimensions,

Conscious of the negative effects of crime on the quest for sustained development, a secure environment and a better quality of life,

Recognizing the importance to all countries of more effective crime prevention and criminal justice in furthering socio-economic development, political stability and a propitious climate for national growth and world peace,

Recalling its resolution 40/32 of 29 November 1985, in which it approved the Milan Plan of Action 1/ as a useful and effective means of strengthening international co-operation in the field of crime prevention and criminal justice and invited Governments to be guided by it in the formulation of appropriate legislation and policy directives and to make continuous efforts to implement the principles contained in the Caracas Declaration 2/ and other relevant resolutions and recommendations, in accordance with the economic, social, cultural and political circumstances of each country,

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1/ See Seventh United Nations Conference on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. A.

2/ Resolution 35/171, annex.

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Also recalling its resolution 44/72 of 8 December 1989, in which it stressed the importance of the United Nations crime prevention and criminal justice programme and the necessity of strengthening it in order to make it more responsive to the needs and expectations of Member States, whose stability and social peace, as well as law enforcement and judicial structures, might be undermined by the growing level and impact of criminality, and requested the Secretary-General to ensure that the level of human and financial resources of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat is sufficient to carry out its multiple tasks mandated by the United Nations policy-making bodies, including the promotion of collaborative action by Governments on problems of mutual concern, evaluation research, the collection and dissemination of information, the preparation of reports and studies and technical co-operation activities, and to ensure that the specialized nature of the programme is fully reflected in its management and staffing,

Recalling further its resolution 42/59 of 30 November 1987, in which it invited the Committee on Crime Prevention and Control to accord priority to preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to ensure adequate follow-up to the review of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice undertaken by the Economic and Social Council and its resolution 43/99 of 8 December 1988, in which it stressed the necessity for Member States to continue to make concerted and systematic efforts to strengthen international co-operation in crime prevention and criminal justice,

Emphasizing the responsibility assumed by the United Nations in crime prevention under General Assembly resolution 415 (V) of 1 December 1950, which was affirmed in Economic and Social Council resolutions 731 F (XXVIII) of 30 July 1959 and 830 D (XXXII) of 2 August 1961, and in the promotion and strengthening of international co-operation in the field in accordance with Assembly resolutions 3021 (XXVII) of 18 December 1972, 32/59 and 32/60 of 8 December 1977, 35/171 of 15 December 1980, 36/21 of 9 November 1981 and 40/32,

Recalling Economic and Social Council resolutions 1986/10 and 1986/11 of 21 May 1986, 1987/49 and 1987/53 of 28 May 1987, 1988/44 of 27 May 1988 and 1989/68 and 1989/69 of 24 May 1989,

Also recalling, in particular, Economic and Social Council resolution 1990/27 of 24 May 1990, in which the Council invited the General Assembly, at its forty-fifth session, to take appropriate measures to ensure the timely implementation and proper follow-up of the recommendations of the Eighth Congress,

Acknowledging that the United Nations congresses, as major intergovernmental forums, have influenced national policies and practices by facilitating the exchange of views and experiences, mobilizing public opinion and recommending policy options at the national, regional and international levels, thus making a significant contribution to progress and the promotion of international co-operation in this field,

Mindful of the main objectives of the United Nations in the field of crime prevention and criminal justice, which include the promotion of a more effective administration of justice, the strengthening of international co-operation in the fight against international crime, the observance of human rights and the pursuance of the highest standards of fairness, efficiency, humanity and professional conduct,

Reaffirming the validity of the guidelines for setting international standards in the field of human rights declared in resolution 41/120 of 4 December 1986 and its emphasis on paying due consideration in this work to the established international legal framework,

Emphasizing the importance of continuing to provide Governments with the maximum opportunity to submit written comments and to participate in the formulation of international instruments and model treaties,

Bearing in mind the theme of the Eighth Congress, "International co-operation in crime prevention and criminal justice for the twenty-first century", and the importance of preserving peace, freedom and justice as essential conditions for development and international co-operation,

Noting the fact that the Eighth Congress, in pursuance of this theme, paid particular attention to the question of crime prevention and criminal justice in the context of development and the realities and perspectives on international co-operation in this field; underlined the need for granting this question higher priority at the United Nations system level; recommended major instruments to facilitate inter-State co-operation against crime, giving particular attention to the linkages between illicit drug trafficking, organized crime and terrorist criminal activities, the efficiency and effectiveness of national systems of criminal justice, the computerization of criminal justice and the non-institutional treatment of offenders, domestic violence and the prevention of juvenile delinquency; and identified other priority areas for practical action, such as environmental protection, in accordance with the requests of the General Assembly, 3/

Noting also that the programme of work of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat has increased in recent years,

Aware that the prevention of crime and criminal justice must be considered not only in the context of public systems, social and cultural values and social evolution, but also in the context of consistent economic development, and alarmed by the growing threat of organized crime, whose destabilizing and corrupting influence on basic economic and political institutions poses a challenge that demands more effective international co-operation,

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3/ A/CONF.144/28.

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Considering that the formulation and implementation of rules and guidelines in the field of crime prevention and criminal justice provide a basis for the introduction of improvements in criminal justice at the national and regional levels,

Reaffirming its determination to improve regional and international co-operation to foster further progress in this area, including implementation of the recommendations of the Eighth Congress, according to an orderly timetable reflecting priorities, taking into account the results of the expert group meeting and ministerial meeting to be held in 1991,

Having considered the report of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, the report of the Secretary-General on the implementation of the resolutions and recommendations of the Seventh Congress 4/ and the report of the Secretary-General 5/ on the implementation of the conclusions of the Eighth Congress, submitted in pursuance of resolution 44/72,

1. Expresses its satisfaction with the successful results achieved by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and its thorough preparation, overviewed by the Committee on Crime Prevention and Control as the preparatory body for the Congress, which contributed to its productive outcome, and by the regional and interregional preparatory meetings convened in co-operation with the regional commissions, interregional and regional crime prevention institutes and interested Governments;

2. Takes note of the report of the Eighth Congress, as well as the Secretary-General's reports on the implementation of the recommendations of the Seventh Congress and of his report on the conclusions of the Eighth Congress;

3. Welcomes the instruments and resolutions adopted by the Eighth Congress, 6/ and invites Governments to be guided by them in the formulation of appropriate legislation and policy directives and to make efforts to implement the principles contained therein and in the relevant instruments and resolutions approved by the previous congresses and other relevant resolutions, in accordance with the economic, social, legal, cultural and political circumstances of each country;

4. Endorses the decision of the Congress to give priority attention to specific practical measures to combat international crime over the forthcoming five-year period, bearing in mind the criteria set out in the relevant regulations and rules governing programme planning;

4/ A/45/324.

5/ A/45/629.

6/ A/CONF.144/28, chap. I.

5. Invites Member States to monitor systematically the steps being taken to ensure co-ordination of efforts in the planning and execution of effective and humane measures to reduce the social costs of crime and its negative effects on the development process, as well as to continue to explore new avenues for international co-operation in this field;

6. Invites the Committee on Crime Prevention and Control at its twelfth session to examine implications of the resolutions and recommendations of the Eighth Congress for the programmes of the United Nations system and to make specific recommendations on the implementation thereof in its report to the Economic and Social Council at its first regular session of 1992, in accordance with the priorities to be set by the ministerial meeting to be held in 1991;

7. Requests the Economic and Social Council to examine, at its first regular session of 1992, the report of the Committee on Crime Prevention and Control on the resolutions and recommendations of the Eighth Congress for further implementation in order to provide, within the United Nations system, overall policy guidance in crime prevention and criminal justice, and to undertake periodically the review, monitoring and appraisal of the above-mentioned resolutions and recommendations, and the priority accorded to them;

8. Emphasizes the urgent need to be responsive to the calls of the Eighth Congress for strengthening the operational aspects of the United Nations programme of work in crime prevention and criminal justice, with a view to assisting interested countries in developing self-reliant and adequate law enforcement and judicial structures;

9. Urges all entities of the United Nations system, including the regional commissions and the regional and interregional institutes on crime prevention and the treatment of offenders and the relevant non-governmental organizations having consultative status with the Economic and Social Council to become actively involved in the implementation of the resolutions and recommendations of the Eighth Congress;

10. Also urges the Department of Technical Co-operation for Development of the Secretariat, the United Nations Development Programme and other pertinent organizations to give full support to projects of technical assistance, in particular to developing countries, in the field of crime prevention and criminal justice and to encourage technical co-operation among developing countries;

11. Requests the Secretary-General to use his best endeavours to translate into action, as appropriate, the resolutions recommended by the Eighth Congress for adoption by the General Assembly and to provide adequate follow-up of the other resolutions unanimously adopted by the Congress, and to do so in accordance with the priorities indicated by the Congress;

12. Invites the Secretary-General to use his best endeavours to review the resources required to enable the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat to discharge its responsibilities in accordance with the mandates and tasks recommended by the Eighth Congress;

13. Requests the Secretary-General to consider including in the proposed programme budget for the biennium 1992-1993 programme and resources proposals to assist with the long-term solution of the problems posed by the implementation of existing mandates;

14. Also requests the Secretary-General to circulate the report of the Eighth Congress to Member States and intergovernmental and non-governmental organizations in order to ensure that it is disseminated as widely as possible and to conduct appropriate public information activities in this field;

15. Further requests the Secretary-General to submit to the General Assembly, at its forty-sixth session, a report on the measures taken to implement the present resolution;

16. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Crime prevention and criminal justice".